The
REPORTER
For Conscience' Sake

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Armed Forces Discharge For COs Shows Slight Improvement

Although the armed forces still refuse to effect a regulation providing for discharge of those individuals who become conscientious objectors to all forms of military service, there has been a slight improvement in the procedures involving the present handling of these cases. If a conscientious objector applies for discharge to his local commanding officer, and his request is refused, it is now possible to have the case reviewed at Pentagon headquarters if the facts of the case are brought to the attention of the proper officials.

This procedure recently resulted in the discharge of Sgt. James I. King, who had been stationed at Fort Benning, Georgia. King is a member of the Christ Sanctified Holy Church and after a recent camp meeting experience, King decided he could no longer continue in the Army. He applied for a discharge and his chaplain recommended that his request be granted. However, the commanding officer turned down the request.

When NSBRO brought this case to the attention of Pentagon officials, the case was called in and reviewed. The result was that King was given an honorable discharge on October 19, 1956.

In several similar cases currently under consideration the same procedure has been effective in securing reconsideration of cases which had been considered turned down and closed at the level of the CO's commanding officer.

Tax Court Case Involves Supreme Being Clause

A District of Columbia Tax Court decision involving the definition of religion as belief in a Supreme Being is being appealed and could eventually have far-reaching effects on the conscientious objector provisions of the Selective Service Act. The case involved the Washington Ethical Society, which contended that its property is not subject to real estate tax because it is a church and religious corporation or society. Judge Morgan, in a lengthy opinion filed October 22, 1956, contended that the organization was not a religious society and based his argument almost solely on the conscientious objector provisions of the Selective Service and Naturalization Acts. These provisions provide that conscientious objectors must base their claim on religious grounds, and that religion is defined as belief in a Supreme Being.

Judge Morgan quoted extensively from several well-known CO cases during World War II involving the Supreme Being clause, which held in general that adherence to conscience could be considered religious grounds as well as belief in a Supreme Being. Judge Morgan then states: "It is interesting and, perhaps important to note that Congress did not consider that the 2nd Circuit had correctly defined 'religion' in accordance with its intent in enacting the Selective Service and Training Act of 1940, because when it came to enact the Selective Service Act of 1948 it endeavored to make certain that there would be no

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Send Christmas Cards To COs In Prison

Each year many individuals interested in COs send Christmas cards to conscientious objectors in prison. The card should list the sender's name and address but no personal message can be included.

The number of conscientious objectors in prison this year, 7, is the same as last year and less than any time in the past five years. The names and addresses of the men to whom Christmas cards may be sent are listed below. The cards should be individually addressed.

William M. Helms, Federal Correctional Institute, Terminal Island, California.

Vern Davidson, Nick Kaline, Federal Prison Camp, Tucson, Arizona.

Enos Yoder, Levi Lehman, Abraham Bontrager, Marvin J. Kein, Federal Prison Camp, Mill Point, West Virginia.

PRISONERS FOR PEACE DAY, DECEMBER 1

The War Resisters' International has designated December 1 as Prisoners for Peace Day for the purpose of publicizing the plight of conscientious objectors throughout the world, particularly in France.

There are at least 150 conscientious objectors imprisoned in countries throughout the world. This does not include an unknown number who are probably in prison or suffering in other ways who are conscientious objectors in countries behind the Iron Curtain.

The worst treatment of conscientious objectors seems to be that found in France. There are at least 57 conscientious objectors in prison. Many of these have served repeated sentences and face continued action. Typical of French

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NEW PAMPHLET FOR DRAFT AGE MEN PRODUCED BY CHURCH GROUP

An excellent new pamphlet entitled "Christian Choices Regarding Military Training" has been produced by the United Christian Missionary Society of the Disciples of Christ, Indianapolis, Indiana. This attractive, two-color ten-page folder presents all the alternatives facing draft age young men.

The pamphlet stresses the importance of making a conscious, responsible choice in regard to military service. The pamphlet describes, with equal amount of space, the following possibilities: armed forces, conscientious objector, student, reserves, noncombatant, absolutist, and ministry.

The pamphlet is well written and presents the alternatives in an objective fashion. It is certainly one of the best jobs done yet by any group to present all the alternatives to military service to young men. Copies can be obtained by writing either to NSBRO or to the National Director, Christian Citizenship, UCMS, 222 South Downey Avenue, Indianapolis 7, Indiana.

Tax Court Case

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further misunderstandings. In Section 6 of the Act "religious training and belief" are defined as follows:

". . . Religious training and belief in this connection mean an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code."

Notice was also made of the identical definition of religion as found in the Naturalization Act of 1940. The Judge concluded that these definitions were "what Congress understands by the word 'religious', which, perhaps, is another way of saying that it reflects the ordinary acceptation of the term."

The 53-page opinion concluded, however, with the Judge's admission that a final answer to the problem had not been given. "Such solution is by no means simple. It is so complicated by the diversity of definition and opinion that a satisfying answer or a conviction of the truth may not be possible."

Prisoners For Peace

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conscientious objectors are the following three.

André Eiselé, whose courageous example of steadfast refusal to deny the brotherhood of man by serving in the French army has cost him eight years in prison, now is facing his sixth prison sentence.

Edmond Schaguné has spent nearly eight years in prison and currently is in the notorious prison at Metz. He and André face twenty more years of prison unless effective action is taken.

David Kruczynski comes from Poland, but is a naturalized citizen of France. He is serving a three-year sentence now, having already spent four years behind bars. Not content with persecuting him, the French Government plans to take away his citizenship and deport him to Poland at the end of his prison sentence.

Early next year the REPORTER plans to publish an up-to-date summary of legal provisions for conscientious objectors throughout the world.

Supreme Court Says No

The Supreme Court has refused a hearing to Arthur F. Clark, a Unitarian conscientious objector from California who was attempting to challenge the Supreme Being clause of the Selective Service Law.

The Court has also denied hearing to two other CO cases which involve legal technicalities. Thus far in its present session the Supreme Court has turned down requests for hearing in a total of four CO cases and has accepted none.

2nd CO PROSECUTIONS

The Department of Justice is continuing its policy of second prosecutions of COs. The following two cases are examples of this policy, which the Department of Justice could solve by administrative action if it wanted to.

William M. Helms, of Richmond, California, was sentenced in September to one year in prison for refusal to accept induction into the armed forces. Helms had served an eight-month sentence in 1954. He refused the services of an attorney and told the court that warfare is forbidden by the Bible.

In a San Francisco, California, Federal Court, Melvin C. Barfus, was found guilty of refusing induction into the armed forces. Barfus is a 36-year-old Jehovah's Witness who had served twelve months of a 30-months sentence as a result of a prior conviction. He had first refused induction in January, 1951, because he said it would be against his religious convictions. On October 4 Barfus was sentenced, the second time, to one year and one day. This was suspended and Barfus was placed on probation for two years.

Increase In No. of Brit. COs

The percentage of total registrants who were conscientious objectors in Britain in 1955 was .03 per cent as compared with .02 per cent in 1954. Of the 927 applications heard during 1955, 24 were given unconditional registration (absolutists), 376 were registered for civiilan work, 166 were registered for noncombatant duties, and 361 applications were dismissed.

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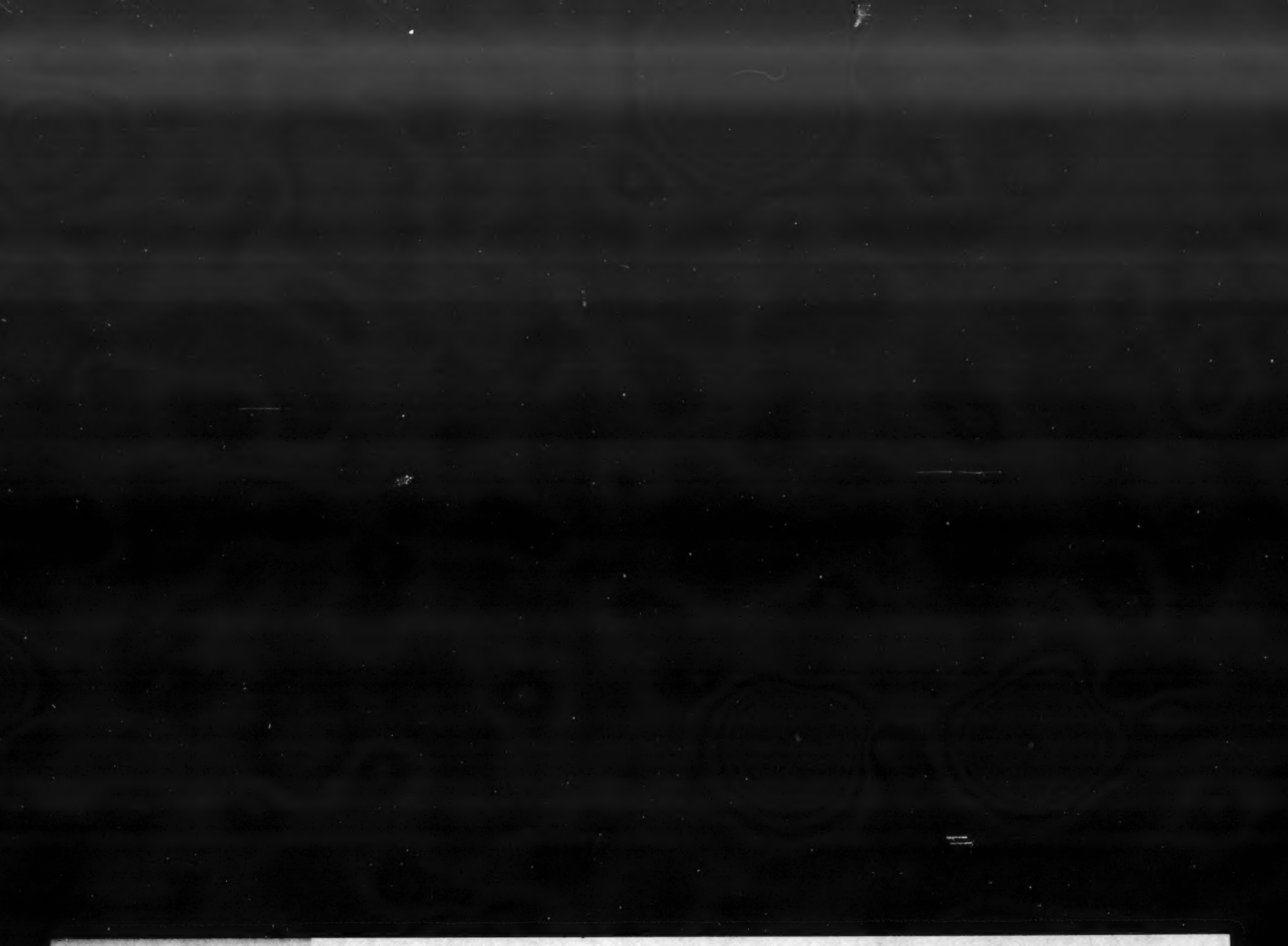
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